

IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE G.CHANDRAIAH

WRIT PETITION NO. 18269 OF 2007

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Dated : August 28, 2007

Between:

The District Panchayath Officer,
Krishna District at Machilipatnam

Petitioner

AND

Ch. Srinivasa Rao,

Respondent

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE MR. JUSTICE G.CHANDRAIAH

WRIT PETITION NO. 18269 OF 2007

-
ORAL ORDER: (per **THE HON'BLE MRS. JUSTICE T.MEENA KUMARI**)

Seeking a writ of certiorari to call for the records
pertaining to the order dated 03.08.2007 passed in CA
No. 317 of 2007 in O.A. No. 2715 of 2007 on the file of the

Andhra Pradesh Administrative Tribunal, Hyderabad, and to set aside the same, the petitioner, filed this writ petition.

The O.A. was filed before the Tribunal by the respondent herein assailing the proceedings in Roc. No. 2603/2006 dated 24.4.2007, by which, the respondent herein was placed under suspension on the ground of misappropriation of an amount of Rs.2,36,178/-. The A.P. Administrative Tribunal ordered interim suspension of the said order in ROC No. 2603/2006 dated 24.4.2007. It is further stated by the petitioner herein that they have filed counter affidavit in the above O.A. before the Tribunal along with a Vacation Petition VMA No. 421 of 2007 on 01.08.2007, seeking to vacate the impugned order.

It is grievance of the petitioner herein that the Tribunal without hearing the vacate stay petition in VMA No. 421 of 2007, has ordered personal appearance of the petitioner herein by order dated 3.8.2007 in CA No. 317 of 2007 filed by the respondent herein and, therefore, filed the present writ petition.

Prima facie, the impugned order shows that the Tribunal has ordered appearance of the petitioner herein, in person, on 31.8.2007 in CA No. 317 of 2007. The impugned order does not speak about vacate stay petition filed by the petitioner herein.

Therefore, without going into merits or otherwise of

the contentious issues on either side, we deem it appropriate to direct the Tribunal to dispose of the Vacate Stay Petition filed by the petitioner herein in VMA No. 421 of 2007, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

T.MEENA KUMARI, J.

G.CHANDRAIAH, J.

August 28, 2007
MAS